

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
ALBANY DIVISION**

THE CITY OF AMSTERDAM,

Plaintiff,

v.

PURDUE PHARMA L.P.; PURDUE
PHARMA INC.; PURDUE FREDERICK
COMPANY, INC.; TEVA
PHARMACEUTICALS USA, INC.;
CEPHALON, INC.; JOHNSON &
JOHNSON; JANSSEN
PHARMACEUTICALS, INC.; JANSSEN
PHARMACEUTICA, INC. N/K/A JANSSEN
PHARMACEUTICALS, INC.; ORTHO-
MCNEIL-JANSSEN PHARMACEUTICALS,
INC. N/K/A JANSSEN
PHARMACEUTICALS, INC.; ENDO
HEALTH SOLUTIONS INC.; ENDO
PHARMACEUTICALS, INC.; ALLERGAN
PLC F/K/A ACTAVIS PLC; ACTAVIS, INC.
F/K/A WATSON PHARMACEUTICALS,
INC.; WATSON LABORATORIES, INC.;
ACTAVIS LLC; ACTAVIS PHARMA, INC.
F/K/A WATSON PHARMA, INC.; INSYS
THERAPEUTICS, INC.; MCKESSON
CORPORATION; CARDINAL HEALTH
INC.; AMERISOURCEBERGEN DRUG
CORPORATION; AMERICAN MEDICAL
DISTRIBUTORS, INC.; BELLCO DRUG
CORP.; BLENHEIM PHARMACAL, INC.;
EVEREADY WHOLESALE DRUGS LTD.;
KINRAY, LLC; PSS WORLD MEDICAL,
INC.; ROCHESTER DRUG COOPERATIVE,
INC.; DARBY GROUP COMPANIES, INC.;
RAYMOND SACKLER FAMILY;
MORTIMER SACKLER FAMILY;
RICHARD S. SACKLER; JONATHAN D.
SACKLER; MORTIMER D.A. SACKLER;
KATHE A. SACKLER; ILENE SACKLER
LEFCOURT; BEVERLY SACKLER;

Case No. 1:19-cv-00896-MAD-CFH

**PLAINTIFF'S NOTICE OF
MOTION TO REMAND AND
AN EXPEDITED HEARING**

THERESA SACKLER; DAVID A. :
 SACKLER; RHODES TECHNOLOGIES; :
 RHODES TECHNOLOGIES INC.; RHODES :
 PHARMACEUTICALS L.P.; RHODES :
 PHARMACEUTICALS INC.; TRUST FOR :
 THE BENEFIT OF MEMBERS OF THE :
 RAYMOND SACKLER FAMILY; THE P.F. :
 LABORATORIES, INC.; STUART D. :
 BAKER; PAR PHARMACEUTICAL, INC.; :
 PAR PHARMACEUTICAL COMPANIES, :
 INC.; MALLINCKRODT PLC; :
 MALLINCKRODT LLC; SPECGX LLC; :
 MYLAN PHARMACEUTICALS, INC.; :
 SANDOZ, INC.; WEST-WARD :
 PHARMACEUTICALS CORP. N/K/A :
 HIKMA PHARMACEUTICALS, INC.; :
 AMNEAL PHARMACEUTICALS, INC.; :
 NORAMCO, INC.; JOHN N. KAPOOR; :
 ANDA, INC.; DISCOUNT DRUG MART, :
 INC.; HBC SERVICE COMPANY; MORRIS :
 & DICKSON CO., LLC; PUBLIX :
 SUPERMARKETS, INC.; SAJ :
 DISTRIBUTORS; VALUE DRUG :
 COMPANY; SMITH DRUG COMPANY; :
 CVS HEALTH CORPORATION; RITE AID :
 OF MARYLAND, INC., D/B/A RITE AID :
 MID-ATLANTIC CUSTOMER SUPPORT :
 CENTER, INC.; RITE AID CORP.; :
 WALGREENS BOOTS ALLIANCE, INC.; :
 WALGREEN EASTERN CO.; WALGREEN, :
 CO.; WAL-MART INC.; MIAMI-LUKEN, :
 INC.; THE KROGER CO.; HENRY SCHEIN, :
 INC.; HENRY SCHEIN MEDICAL :
 SYSTEMS, INC.; EXPRESS SCRIPTS :
 HOLDING COMPANY; EXPRESS :
 SCRIPTS, INC.; CAREMARK RX, L.L.C.; :
 CAREMARKPCS HEALTH, L.L.C. D/B/A :
 CVS/CAREMARK; CAREMARK, L.L.C.; :
 CAREMARKPCS, L.L.C.; UNITEDHEALTH :
 GROUP INCORPORATED; OPTUM, INC.; :
 OPTUMRX INC.; PRIME THERAPEUTICS :
 LLC; NAVITUS HOLDINGS, LLC; AND :
 NAVITUS HEALTH SOLUTIONS, LLC, :

Defendants.

PLEASE TAKE NOTICE that based upon and for the reasons set forth in Plaintiff's *Memorandum of Law in Support of Plaintiff's Motion to Remand*, the *Declaration* of Hunter J. Shkolnik and the *Exhibits* thereto, all of which were filed simultaneously herewith and adopted and incorporated herein, the undersigned counsel for Plaintiff, the City of Amsterdam, will move this Court, before the Honorable Mae A. D'Agostino, at the United States District Court for the Northern District of New York, James T. Foley U.S. Courthouse 445 Broadway, Albany, NY 12207, on September 17, 2019, or as soon thereafter as counsel may be heard, for an *Order* pursuant to 28 U.S.C. 1447 remanding this case to New York State Supreme Court, County of Montgomery, and for all other relief deemed just and proper.

Dated: Melville, New York
August 16, 2019

Respectfully submitted,

/s Hunter J. Shkolnik
Hunter J. Shkolnik
NAPOLI SHKOLNIK PLLC
400 Broadhollow Road, Suite 305
Melville, New York 11747
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of August, 2019, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will also transmit a Notice of Electronic Filing to all counsel of record.

/s/ Hunter J. Shkolnik
Hunter J. Shkolnik